

## REMARKS

This is intended as a full and complete response to the Office Action dated December 28, 2009, having a shortened statutory period for response set to expire on March 28, 2010. Please reconsider the claims pending in the application for reasons discussed below.

Claims 9, 14-17, 19, 20, 22, 23, and 32-38 are pending in the application. Claims 9, 14-17, 19, 20, 22, 23, and 32-38 remain pending following entry of this response.

### Claim Rejections - 35 U.S.C. § 103

Claims 9, 14-17, 19-20, 22-23, and 32-38 rejected under 35 U.S.C. 103(a) as being unpatentable over *Chiueh et al.* ("An Annotation System for VSLI Design", Proceedings of the Tenth Annual International Phoenix Conference on Computers and Communications, 1991, Pages 755-761, IEEE and referred to hereinafter as *Chiueh*) in view of *Chervenak et al.*, ("A Metadata Catalog Service for Data Intensive Applications", GriPhyN technical report, 2002-11 and referred to hereinafter as *Chervenak*).

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2141. Establishing a *prima facie* case of obviousness begins with first resolving the factual inquiries of *Graham v. John Deere Co.*, 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;
- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the *Graham* factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

Respectfully, Applicants submit that the Office Action has not properly characterized the teachings of the references and/or the claims at issue. Accordingly, a *prima facie* case of obviousness has not been established.

For example, the Office Action suggests that *Chervenak* discloses “wherein the predetermined set is specified via user input and comprises at least one of . . . a predetermined number of cells visible in the annotated portion of the first view of data . . .” Specifically, the Office Action states:

Chervenak discloses that the query-related sub-objects and[*sic*] returned from executing a database query (i.e. Page 3, Section 3 clearly discloses that the data is returned in response to a query.), and that the predetermined set is specified via user input and comprises at least one of: a predetermined number of cells visible in the annotated portion of the first view of data; and a predetermined percentage of cells visible in the annotated portion of the first view of data (i.e. Page 4, Paragraph 4 which notes that the predetermined set is defined by the permissions (e.g. if the user has access to the files in the second view, the annotations accompanying the files will be displayed as well as the files). Examiner notes that the permissions are set such that the predetermined number of cells is one (i.e. if any files are visible, the annotations to those files will be displayed).).

Office Action, page 5 (emphasis added). For convenience, the cited portion of *Chervenak* is provided below:

Support for logical collections: A logical collection is a user-defined aggregation of logical files. One of the most important purposes of logical collections is to support authorization on groups of files rather than on individual files. If a logical file is contained in a logical collection, then the user must have appropriate permissions on both the logical file and the logical collection to access or modify the metadata associated with the logical file. To support consistent authorization, the MCS [(Metadata Catalog Service)] requires that a logical file may belong to at most one logical collection. The MCS must support a tree hierarchy of collections with well defined rules for delegation of authorization rights to child collections. The MCS must support simple queries that list the logical files in a collection and must respond to attribute-based queries on logical collections.

*Chervenak*, p. 4, ¶ 4 (emphasis added). That is, *Chervenak* teaches that in order to access a logical file that is contained in a logical collection, a user must have appropriate permissions on two levels – on the *logical collection* level as well as the *logical file* level. See *Chervenak*, p. 4, ¶ 4. Respectfully, this portion of *Chervenak* – as well as *Chervenak* generally – is silent on a “predetermined number of cells” of an “annotated portion of the first view of data.” A *cell* is a term from the computer and

information sciences, that persons of ordinary skill in the art will be acquainted with. Specifically, persons of ordinary skill in the art will appreciate that a *cell* refers to a unit of tabular data. Respectfully, a *collection of files* is not the same as a predetermined number of cells of tabular data – in any sense of the terms “cell” and “file” as known to persons skilled in the art. Therefore, *Chervenak* fails to teach “wherein the predetermined set . . . comprises at least one of . . . a predetermined number of cells visible in the annotated portion of the first view of data . . .” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

#### Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. MCCLELLAN, Reg. #44227/

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Gero G. McClellan  
Registration No. 44,227  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicant(s)